

11

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

VINGAL CARTER

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Sergeant Richard Sagisto
Detective Stark He Gillespie
Officer William Dawson

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

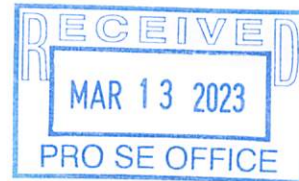
Detective Yoan De La Cruz
Detective Nathaniel Lester
Detective Cesar Viterio

Complaint for a Civil Case

Case No. 22 CV 2440 (LDH) (LDB)

(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☒ No
(check one)



I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>VINGAL Carter</u>
Street Address	<u>525 ROCKAWAY PKWY - Apt. 2A</u>
City and County	<u>BLKYN, N.Y. (Kings County)</u>
State and Zip Code	<u>11212</u>
Telephone Number	<u>929-969-5034</u>
E-mail Address	<u></u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Yoan DeLa Cruz</u>
Job or Title	<u>Detective (shield # 1243)</u>
(if known)	
Street Address	<u>653 Grand Ave.</u>
City and County	<u>BLKYN, N.Y. 11238</u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address	<u></u>
(if known)	

Defendant No. 2

Name	<u>Detective Nathaniel Lester</u>
Job or Title	<u>Detective (shield # 1639)</u>
(if known)	<u>77th Precinct</u>
Street Address	<u>127 UTICA Ave. (Kings County)</u>
City and County	<u>BLKYN, New York 11213</u>

State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known) _____

Defendant No. 3

Name Cesar Valerio
Job or Title Detective (shield # 6915)
(if known) 77th Precinct
Street Address City 127 Utica Ave.
and County State BKlyn, N.Y. (Kings County)
and Zip Code 11213
Telephone Number _____
E-mail Address _____
(if known) _____

Defendant No. 4

Name _____
Job or Title _____
(if known) _____
Street Address City _____
and County State _____
and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) VINGAL CARTER, is a citizen of the State of
(name) NEW YORK.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the
laws of the State of (name) _____, and has its
principal place of business in the State of (name)
_____.

*(If more than one plaintiff is named in the complaint, attach an additional page
providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) VINGAL CARTER, is a citizen of the State
of (name) NEW YORK. Or is a citizen of (foreign nation)
_____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

_____ Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

I'm asking for \$500,000.00 for my mental stress, job loss and breakdown.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Detective Yoan DeLaCruz (Shield # 1243) - Detective Nathaniel Lester (Shield # 1639)
Detective Cesar Viterio (Shield # 6915) violated my 8th amendment rights with cruel + brutal punishment. I was falsely arrested + went through a terrible breakdown + was hospitalized for a terrible breakdown + due to the breakdown I lost my job. I suffered an emotional breakdown due to stress due to my job loss and not being able to take care of myself. I was admitted into Brookdale Hospital for 2 weeks and I'm still seeing a psychiatrist at this current time for my breakdown and the mental stress.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Please see all listed on page 5
for Plaintiff.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

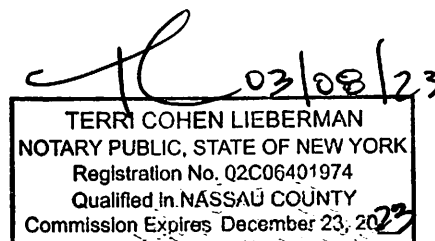
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: March 8, 2023

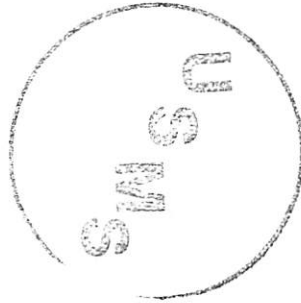
Signature of Plaintiff

Printed Name of Plaintiff

VINGAL Carter



Vinopal Carter
525 Rockaway Parkway
Apt 2A Brooklyn NY 11213



Clerk of U.S. District Court
EASTERN DISTRICT OF NEW YORK
225 CADMAN PLAZA EAST
Brooklyn, NY 11201



Retail



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